

REMARKS

Claims 35-55 and 74-78 are pending and under consideration. Claims 36, 42, 50, 52, 55 and 74 have been amended. New claims 101-103 have been added.

I. Withdrawal of Claim Rejections and Objections

Applicants note the Examiner's withdrawal of certain claim rejections and objections as detailed in the most recent office action dated December 30, 2004.

II. 35 U.S.C. § 112

The Examiner has rejected claims 36 and 50, claims 42 and 52 and claims 74-78 as indefinite under 35 U.S.C. §112. Applicants respectfully traverse the Examiner's §112 rejection.

Applicants thank the examiner for her suggested changes to claims 36, 42, 50, 52 and 74-78. Solely to speed prosecution, applicants have hereinabove amended claims 36, 42, 50, 52 and 74-78 in accordance with the Examiner's suggestions.

Therefore applicants maintain that the Examiner's §112 rejections have been overcome and that the above-mentioned claims are in condition for allowance.

III. 35 U.S.C. § 103 Rejections

The Examiner has rejected claim 55 as obvious over Andersson in view of U.S. patent No. 4,691,009 and Shin. Applicants respectfully traverse the Examiner's §103 rejections.

Andersson merely describes a method of purifying rhUG using a filter and column. Andersson does not disclose teach or suggest the production of pharmaceutical grade rhUG. For example, Andersson does not disclose teach or suggest the production of rhUG which is substantially free of endotoxin, nucleic acid and other contaminants. Furthermore, neither

U.S. Patent No. 4,691,009 nor Shin disclose teach or suggest the production of pharmaceutical grade rhUG.

In order to speed prosecution, applicants have amended claim 55 to recite “wherein the rhUG produced is of pharmaceutical grade.” Therefore applicants respectfully request the Examiner withdraw her §103 rejection of claim 55.

IV. Statutory Type Double Patenting

The Examiner has provisionally rejected claims 35-55 and 74-78 under 35 U.S.C. 101 over copending Application No. 10/187,498. Applicants respectfully traverse the double patenting rejection. As no claims have issued in the cited copending application, applicants request that the Examiner hold the double patenting rejection in abeyance until such time as the claims of the present application are otherwise found to be in allowable condition.


Conclusion

For at least the reasons set forth above, pending claims 35-55 and 74-78 are urged as being in condition for allowance. Prompt allowance is therefore respectfully requested. If any issues remain outstanding, applicants invite the Examiner to discuss the same at a telephone interview with the Examiner.

No additional fees, except the fee for a three month extension, are believed to be necessary in connection with the filing of this Amendment. However, if any additional fees are required, the Commissioner is hereby authorized to charge such fee(s) to Deposit Account No. 05-0765.

Respectfully submitted,

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